

Docket No. 49658-0025

PATENT

~~#14704/80~~
Jensen
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MARTIN LIVESEY

Serial No.: 09/183,621

Group Art Unit: 2672

Filed: October 30, 1998

Examiner: Chante' Harrison

For: APERIODIC TILING OF TEXTURED IMAGES

REQUEST FOR RECONSIDERATION

BOX AF
Commissioner of Patents
Washington, D.C. 20231

The Applicant thanks the Examiner for the interview conducted on March 28, 2001. As discussed during the interview, Applicant is submitting the following remarks and respectfully requests reconsideration of the above application.

During that interview, it was pointed out how *Jensen* is concerned with **patterns on the surface of tiles**, while the present invention is concerned with **patterns of tiles on a surface**. More specifically, *Jensen* is concerned with finding out how far to rotate a tile in order for the pattern on the surface of the rotated tile to align with the pattern on the surface of an adjacent tile. On the other hand, the present invention is concerned with placing textured tiles over a surface, where the pattern in which the tiles are placed reduces a viewer's ability to detect any pattern in the texture covering the surface.

04/05/2001 CNGUYEN 00000036 09183621

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110.00 OP

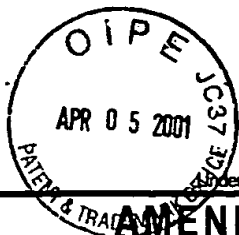
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It was also pointed out during the interview that even if one were to generate a series of rotated tiles, where each tile was rotated slightly more than its predecessor, it is not clear how such a series of tiles could be used to cover a surface (how rotated tiles could be placed adjacent to each other), unless, for example, the tiles themselves were not rotated, but only the pattern on the surface of the tiles was rotated. For example, Fig. 9 of *Jensen* shows two adjacent square tiles that have not been rotated, where the pattern on the surface of the square tiles has been rotated. A surface can easily be covered by square tiles, such as those shown in Fig. 9. However, the pattern of the tiles on such a surface would be a symmetrical, checkerboard pattern (a far cry from the "aperiodic" pattern required by the present claims).

The Applicant also thanks the Examiner for confirming receipt of the previously submitted Petition for Color Drawings and for helping to ensure that the petition is considered.

The application currently stands finally rejected based on the Final Office Action mailed December 20, 2000 and the Advisory Action mailed March 15, 2001. The shortened statutory period based on the Final Office Action ran until March 20, 2001, and the statutory period runs until June 20, 2001.

The applicant herewith petitions the Commissioner of Patents under 37 C.F.R. § 1.136 to extend the time for reply to the Final Office Action dated December 20, 2000 for one (1) month from March 20, 2001 to April 20, 2001. Submitted herewith is a check for \$110 to cover the cost of the one (1) month extension per 37 C.F.R. §1.17(a)(1).



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AMENDMENT FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision, Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28</i>		Complete if Known	
		Application Number	09/183,621
		Filing Date	October 30, 1998
		First Named Inventor	Martin Livesey
		Examiner Name	Chante' Harrison
TOTAL AMOUNT OF PAYMENT		(\$)	110.00
		Attorney Docket No.	49658-0025

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METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.		3. ADDITIONAL FEES			
Deposit Account Number: 50-1302					
Deposit Account Name: Hickman Palermo Truong & Becker, LLP					
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other					
3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27.					
FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity Fee Code (\$)		Small Entity Fee Code (\$)		Fee Description	
101 710		201 355		Utility filing fee	
106 320		206 160		Design filing fee	
107 490		207 245		Plant filing fee	
108 710		208 355		Reissue filing fee	
114 150		214 75		Provisional filing fee	
SUBTOTAL (1)		(\$)		0.00	
2. EXTRA CLAIM FEES					
Total Claims Independent Claims: 16 4		Highest Paid Claims: -20= 0		Extra Claims: 0	
Multiple Dependent		Fee from Below: 18.00 80.00		Fee Paid: 0.00 0.00	
**or number previously paid, if greater; For Reissues, see below					
Large Entity Fee Code (\$)		Small Entity Fee Code (\$)		Fee Description	
103 18		203 9		Claims in excess of 20	
102 80		202 40		Independent claims in excess of 3	
104 270		204 135		Multiple dependent claim, if not paid	
109 80		209 40		**Reissue independent claims over original patent	
110 18		210 9		**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)		0.00	
		*Reduced by Basic Filing Fee Paid			
		SUBTOTAL (3)		(\$)	
				110.00	
				0.00	

SUBMITTED BY			
Name (Print/Type)	Craig G. Holmes	Registration No. (Attorney/Agent)	44,770
Signature		Telephone	(408) 414-1080
		Date	April 2, 2001

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